

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HILTON LAWRENCE BROWN, ) No. C 10-2536 JSW (PR)  
Plaintiff, )  
vs. )  
WARDEN McEWEN, et al., ) **ORDER OF DISMISSAL**  
Defendants. )

Plaintiff, a prisoner of the State of California, currently incarcerated at the Calipatria State Prison in Calipatria, California, has filed this civil rights action under 42 U.S.C. § 1983. On June 9, 2010, the same day the complaint was filed, the Clerk notified Plaintiff that he had neither paid the filing fee nor filed an application to proceed in forma pauperis (“IFP”). Along with the notice, the clerk mailed to Plaintiff the Court’s IFP forms, instructions for completing the forms, and a stamped return envelope. In then notice, Plaintiff was informed that the case would be dismissed if he did not either pay the fee or file a completed IFP application within thirty days. Plaintiff has neither paid the filing fee nor filed an IFP application within the allotted time, and he has not explained his failure to do so. Accordingly, this case is DISMISSED without prejudice. *See* Fed. R. Civ. P. 41(b).

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

DATED: November 15, 2010

*Jeffrey S. White*  
JEFFREY S. WHITE  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

HILTON L BROWN,

Case Number: CV10-02536 JSW

Plaintiff,

## **CERTIFICATE OF SERVICE**

V.

BARACK OBAMA et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 16, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Hilton Lawrence Brown B-51265  
7618 Blair Road  
P.O. Box 5001  
Calipatria, CA 92233

Dated: November 16, 2010

Jennifer Ottolini

Richard W. Wiekling, Clerk  
By: Jennifer Ottolini, Deputy Clerk